

# M e m o r a n d u m

Date : December 18, 2000

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To : Robert Pernell, Commissioner and Committee Presiding Member File: Potrero\_SR1.doc  
William J. Keese, Chariman and Committee Associate Member

From : California Energy Commission - Marc Pryor  
1516 Ninth Street Project Manager  
Sacramento, CA 95814-5512

Subject : POTRERO POWER PLANT UNIT 7 PROJECT (00-AFC-4)  
STATUS REPORT NO. 1

## PROJECT SCHEDULE

Staff believes that delays by the applicant in the filing of two products will in turn delay staff's Preliminary Staff Assessment (PSA), currently scheduled to be issued on March 27, 2001, by about two and one-half months. The two products are: 1) the finalized biological Survey Protocol for Collection and Analysis of Validating Data; and 2) an amendment to the Application for Certification to cover the demolition of the existing unreinforced brick buildings on the site to make room for the proposed Unit 7 project. The following addresses each product and the possible associated delays of the PSA.

## **BIOLOGICAL RESOURCES**

In its Responses to CEC 11/7/2000 Data Requests, filed December 5, 2000, the applicant informed staff that the finalized biological Survey Protocol for Collection and Analysis of Validating Data is anticipated to be submitted to the CEC within several weeks. The draft protocol was submitted to the Energy Commission on October 20, 2000, and has been the subject of discussion at a workshop and a November 28, 2000 conference call. Delays in review and approval of the final protocol will result in delays of survey results to be provided to staff, which in turn will delay the staff PSA.

During the December 14, 2000, data request and data response workshop the applicant indicated that their final survey protocol will be available soon, and that they expect to begin sampling in January 2001. However, delays in field surveys may also result from amendments to fish sampling permits that will be required by the California Department of Fish and Game and the National Marine Fisheries Service. Staff will work with the applicant and responsible agencies to facilitate permit approvals. Therefore, if field data collection begins in January 2001, staff expects issuance of the draft biological resources PSA section no sooner than May 15, 2001. Staff expects that the draft PSA will not be complete since the applicant's field data collection and analyses will not be complete.

## **AFC AMENDMENT**

Demolition of existing structures at the plant site, primarily Station A, was originally to be conducted under permits issued by the City and County of San Francisco (CCSF). In November 2000, the applicant informed staff that the CCSF recommends that the demolition should be covered by this siting case and staff agrees. However, the siting case must be amended to do so, and until the amendment is filed staff cannot consider the information in its analyses. The applicant estimates the amendment will be filed in mid-January 2001. Staff anticipates that at least one round of additional data requests will be needed to address the amendment, adding at least 60 days to the process (10 days to review and compile data requests, 30 days for applicant response, and 20 days for incorporation and review into PSA sections). If additional data requests are required, a minimum of an additional 45 days would be anticipated. Therefore, if two rounds of data requests are needed, staff expects its PSA would be delayed until May 15, 2001.

## **CURRENT DATA REQUEST/DATA RESPONSES**

### **STAFF**

Staff has issued 161 data requests in two separate sets, one on November 7 and the other on November 28, 2000. The applicant has provided most of its responses to the first set, but requested additional time to respond to data requests in the areas of cultural resources, visual resources, and transmission system engineering. Responses in these areas were received on December 15, 2000. Staff expects to issue its third set by the end of this month.

Two public workshops have been held in the Potrero District to discuss the first two sets of data requests and the applicant's responses to the first set. The first set of data requests was discussed on November 22, 2000. Responses to the first set of data requests, and the second set of data requests were discussed on December 14, 2000. Approximately 30 people attended each workshop, of which about 5 were local residents, property owners and/or business owners. Also among the attendees were representatives of the CCSF, Southeast Alliance for Environmental Justice (SAEJ), (both of whom are intervenors); Communities for a Better Environment, and the Board of Supervisors Potrero Task Force.

### **INTERVENORS**

Two intervenors, CCSF and SAEJ, issued data requests to the applicant on November 9, 2000, (docketed November 13), and November 20, 2000, (docketed November 22), respectively. The CCSF issued 100 data requests and SAEJ issued 155. The applicant

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declined staff's offer to allow a portion of the December 14, 2000 workshop to be used for it to ask CCSF and SAEJ clarifying questions.

### **AGENCY PARTICIPATION**

The primary agency interaction to date has been with biological and water resources agencies, namely, National Marine Fisheries Service (NMFS), California Department of Fish and Game (CDFG), the Moss Landing Marine Laboratory (MLML) and Regional Water Quality Control Board (RWQCB). These agencies are participants in an Agency Working Group (AWG) that is providing Energy Commission staff with assistance on the review of the aquatic biological resources survey protocol mentioned above.

MSP:msp

cc: Elk Hills Power Project POS list (includes Bio AWG)  
Docket  
Potrero Hill Neighborhood House